

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CEMENT AND CONCRETE WORKERS DISTRICT
COUNCIL WELFARE FUND, PENSION FUND,
ANNUITY FUND, EDUCATION AND
TRAINING FUND AND OTHER FUNDS
and SILVANA BALDO,
in her fiduciary capacity
as Administrator of the Cement and
Concrete Workers District Council
Welfare Fund, Pension Fund and Annuity
Fund

Civil Action No.
CV-05-0900 (DGT)

and

DEFAULT JUDGMENT

BARRY KAPLAN, as President of the
CEMENT AND CONCRETE WORKERS DISTRICT
COUNCIL and in his fiduciary capacity
as a Trustee of the EDUCATION AND
TRAINING FUND

Plaintiffs,

-against-

TECHCON CONTRACTING INC.
and BEN RIVEN

Defendants.

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ JUL 21 2005 ★

P.M. _____
TIME A.M. _____

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This action having been commenced by the filing of a
summons and complaint on February 17, 2005 and copies of the
summons and complaint having been served by Steven C. Avery on
the defendant TECHCON CONTRACTING INC. by serving two true copies
on Ms. Norah Radler of the Office of the Secretary of State at 41
State Street, Albany, NY 12231 on March 7, 2005 and by Brian
Kleinberg on the defendant BEN RIVEN by delivering a true copy to
a suitable agent, co-worker Nava Listokin, at 336 Maple Avenue,

Westbury, NY 11590 and properly mailing a copy to the same address on March 18, 2005. TECHCON CONTRACTING INC. and BEN RIVEN have failed to appear, answer or otherwise defend in this action within the time permitted by law,

NOW, on motion of Kaming & Kaming, attorneys for plaintiffs, by Joseph S. Kaming, it is

ORDERED, ADJUDGED AND DECREED that plaintiffs have judgment against defendants TECHCON CONTRACTING INC. and BEN RIVEN in the liquidated amount of \$32,480.67 as and for past benefit contributions for the period July 1, 2002 through December 3, 2004 with interest at 18% according to the collective bargaining agreement from December 3, 2004 to present amounting to \$2,436.05 and liquidated damages in the amount of \$2,436.05; the amount of \$1,443.20 as and for dues and checkoffs deducted and owing for the period July 1, 2002 through December 3, 2004, with interest at 18% according to the collective bargaining agreement from December 3, 2004 to present in the amount of \$108.24; plus costs and disbursements of this action in the amount of \$383.00; plus attorneys' fees in the amount of \$1,750.00, amounting in total to \$41,037.21.

Dated: New York, New York

July 7, 2005

s/David G. Trager

U.S.D.J.